

**PLANNING BOARD MEETING MINUTES
TUESDAY, AUGUST 15, 2006**

MEMBERS PRESENT: Jay Cruz, Chair
Paula Caron, Vice-Chair
Yvette Cooks (associate member)
John DiPasquale
Paul Fontaine, Jr.
Mike Hurley
Linda Nicholopoulos

MEMBERS ABSENT: Nancy Maynard

PLANNING OFFICE: David Streb, Mike O'Hara

Call to Order

Meeting called to order at 6:05 p.m. in the Veteran's Room, First Floor, City Hall.

Communications

Mike O'Hara handed out a letter from Bay Communications requesting a continuance of the hearing to the September 26th meeting. Board agreed to continue hearing to September 26th.

Also Dave Streb informed the Board of the memo to Vollmer requesting an engineering review of Victoria Lane subdivision. Handed out letter from Denis Meunier re I & I work to be accomplished by Benjamin Bldrs. in lieu of payment of \$43,000.

Meeting Minutes

Minutes of August 8th distributed to members yesterday. Board deferred approving until next meeting.

ANR plans

The Board reviewed and endorsed the following "ANR" plans:

Pearl Hill Road – Lanni

Plan splits off conforming lot from 58 acre parcel (part of Lanni Orchards). Remaining frontage of larger parcel >175 feet measured along Pearl Hill Rd & Kendall road, according to plan's surveyor.

Pearl Street – Wood

Two adjoining parcels in same ownership (map 158-22-0 & 159-22-A) to be resubdivided into three lots: Lots 1 & 2 vacant conforming lots, Lot 3 around existing dwelling at 657 Pearl St.

MINOR SITE PLAN REVIEW

Aldrich – 209 Lunenburg St.

Sean Pepper of D.R. Poulin Construction, proposing another cold storage building similar to the other buildings. 70' x 60' building adjacent to his existing structure. Will be single story – three doors in front; 16 feet tall.

Motion made and seconded to approve Site Plan subject to condition of no hazardous storage. Vote unanimous to approve.

Atty. Watts was granted brief time to present a draft ANR plan for proposed "rear lot" at 135 Rollstone Road. His client erroneously understood next Planning Board meeting was 8-22-06. Plan not fully prepared in time for the 8-15 meeting -- client can't wait 'til September 26th mtg.

The Board voted to authorize Planning Coordinator David Streb, per Planning Board policy, to endorse ANR plan (when it is submitted) only if he determines, after consulting with Planning Board Chair and

Building Commissioner, that the plan is able to be endorsed as "Approval Not Required", and is approvable as a "rear lot".

PUBLIC HEARINGS

Special Permit renewal - Bay Communications, wireless communications tower, 609 Wanoosnoc Rd. (postponed from 7-18-06)

Item postponed to September 26th meeting at request of applicant. See above under "Communications".

Special Permit - Wachusett Development, 17 Pierce Ave., convert storage space to two apartments (postponed from 7-18-06)

Public hearing opened. Members present: Caron, Cruz, Cooks (associate member), DiPasquale, Fontaine, Hurley, Nicholopoulos (7)

Brian Campbell, Wachusett Development, presented. Wants to put two apartments (600 sq. ft. and 800 sq. ft.) on first floor of building behind Quizno's. Purpose of the two apartments is principally for the use of their own employees. The balance of space on first floor may be donated in the future to the North County Land Trust. Doctors' professional offices are on floor above.

Mr. Campbell said they didn't want to use the space for cold storage.

Ms. Caron expressed the concern that the residential may not be an appropriate use for the space. Mr. Fontaine, Ms. Nicholopoulos and Mr. DiPasquale agreed. Mr. Hurley didn't have a problem with it. Ms. Cooks agreed with Mike

Mike O'Hara read aloud comments from Water Department and Fire Department. There was no public comment.

Motion made (Mr. Fontaine) and seconded (Ms. Caron) to deny Special Permit. Vote 5-2 to deny.

Special Permit - McSweeney, Planned Unit Development, Oakland St. 6 single-family dwellings, (continued from 7-18-06)

Hearing re-opened. Members present at last hearing & able to vote: Caron, Cruz, Fontaine, Hurley, Nicholopoulos, (5)

Ed McSweeney presented and gave an overview of the project. Handouts to Board on: gas, past sewer problems. They investigated issue of gas pressure. Unifit has upgraded local lines. They had Dr. Anderson check the site and there are no wetlands subject to protection under the wetlands protection act. They went to Engineering and they see no problems on the sewerage. They'll be using E-1 pumps.

Proposing to improving 200 feet of Oakland Street. He said the lots will average 7,500 sq. ft. and other lots in the area are only 4,500 sq. ft.

There will be a master deed and a condo association and each person will own and take care of their own house.

Public comment:

Nancy Vianin, daughter of owner of parcel on Oakland St. -- said that she remembered swamp there as a child, and that she is certain there are wetlands there.

Sewerage – there are issues with the sewerage. Who's responsible if her sewer backs up? She also mentioned congestion. Clapham's Transmission and Indian restaurant on Lunenburg Street are causing parking and traffic issues. She wishes to state for the record that she's complaining.

Melissa Stewart, 26 Oakland St. said that the newspaper had an article about a John Fitch Highway intersection had the most accidents. How much traffic can the area handle?

Scott Michaud asked if there was a 4" line that had to be replaced, what about the maintenance? You're taking out the last piece of open space between Main Street and Lunenburg Street. Is the remaining pond going to get polluted? Shouldn't the drainage go into the drainage system of the city?

Janet Sefton, 21 Redman Place – Neal Anderson's report submitted by applicant said there's no "protected" wetlands. But there are wetlands there and the water has to go somewhere.

Greg LeBlanc, 5 Linwood St. - He's concerned about how close the house is to his house. Mr. McSweeney said he'd move the house further away.

McSweeney -- he's certain the area is going to be developed in some manner.

Mr. Fontaine said they could get several ANR lots without needing to get Planning Board approval.

Kirk Martin, 21 Redman Place - Read from the definition of "PUD" in the Zoning Ordinance: "The mixture of uses is sufficiently advantageous." How is this advantageous? How is natural topography preserved or open space? He also has concerns about the flag lot in the rear toward Linwood Street. He doesn't feel the PUD as described meets the PUD criteria. He would be happier with fewer lots.

Ron Dionne indicated that his son lives in the area. There's an existing right-of-way that is unused. What happens with that? He also said the rear of the site in the wetlands.

Ed McSweeney says that he feels people would have rights to pass over their right of way Ron Dionne mentioned.

Mr. Cruz: why wouldn't they want to put in a sidewalk on Oakland Street?
McSweeney indicated that if that was a condition they would.

Ms. Cooks asked if he could build a house that conforms to the character of the neighborhood. McSweeney said there is no one style in neighborhood.

Nancy Vianni said that the character is affected by the density with all these houses crammed in it look out of character.

Mr. Fontaine said that 7,500 sq. ft. per dwelling is probably in character with neighborhood. He also said that even if they improved the road, you could probably only get three or four lots. He'd like to see a conceptual plan showing ANR lots.

McSweeney asked if it would be better to come back with three alternatives, one of which would be three lots with duplexes. He went on to describe how much density he could come in with. He said he might be able to get the rear houses to access Linwood Street.

Mike O'Hara said that they should file application and plan with the Conservation Commission and then the issue of whether or not there are wetlands subject to ConCom jurisdiction could be settled.

Mr. Fontaine would like to keep the development away from the alleged wetlands, even if they have to change the style.

The Board directed them to come back showing access to Linwood Street, development pulled away from the wetland area, and improvements to Oakland Street. Also would like to see plan go before Conservation Commission. Also a 26-foot buffer from the existing home on Linwood St.

Five members can vote (Caron, Cruz, Fontaine, Hurley, Nicholopoulos) and they will have to be here at the next meeting.

Hearing continued to next meeting, September 26.

Special Permit - Bribern, LLC Mill conversion - “Newport Lofts”, 25 Newport St.

Hearing opened 8:30 p.m. Present were Brian DeVellis, Larry Greene, Thompson-Liston Associates.

Mr. DeVellis: Proposing to redevelop Parks-Cramer building -- 25,000 sq. ft., built in 1904, into 48 loft-style condos, one- and two-stories. Parks-Cramer bought it in 1995-96 or so. Will include small community store with coffee shop. 100 parking spaces - two per unit - to be provided. Vogue Wallcoverings on Airport Road is closing. They may incorporate it into project if it comes back as a clean site.

Ken Denis, 6 Newport Street. He handed out a letter and asked about pollution in the tailrace through the site. DeVellis said the site received a clean 21E.

Mr. DeVellis also said that they were planning a vest-pocket park along the river. David Streb asked if there's a public right of access along the south side of the Nashua that would provide a trail access to the site.

The building has a new roof, new sprinkler, new elevator.

Dan Curley, Industrial Development Commission Director said that he is opposed to this project. It abuts another industrial property and we have limited options for industrial uses.

Dan Joseph, part owner of Parks-Cramer - 18-foot ceilings are hard to heat and they're spending \$40,000 a year for utilities.

Dan Curley indicated that no one has contacted his office about this space being available.

DeVellis indicated that they saw this property as being ideal for residential.

Ms. Caron wondered why the plan was back before the Board. You still haven't solved the access issue. Nothing has changed.

David Gagnon said the Board has already addressed many of the concerns, access, safety. The second access is key. With a second entrance, he'd be in favor.

Marcus Suquedra – 17 Newport Street. Even with the second entrance it'd be an issue. People will try to take shortcuts through there.

Mr. Fontaine said he was prepared to deny it.

Brian DeVellis said that if it had to be resubmitted, then he wasn't because of the inherent delay.

Board agreed to continue hearing to next meeting, Sept. 26th.

Ms. Caron left the meeting.

Preliminary Subdivision Plan - Bribern, LLC, “Balsam Manor” Fisher Rd.

Brian DeVellis and Larry Greene presented the subdivision. 30,000 sq. ft. lot sizes.

Public comment:

Norman Champagne, 325 New West Townsend Rd. says there's a problem with wetland flagging.

David Dupres lives on the west side of parcel and wanted to know what the timeframe was for the project. Also, what if there is a power failure?

Larry Greene explained that the pump that has a bladder that can hold a day's water. Their goal is to get the sewer in first. They will be overlaying Fisher Road and pave New West Townsend Street.

Mr. Nikander asked if they will be repaving Fisher Road. Yes.

The developer is willing to leave a stub for each house along the way in Fitchburg,. Lunenburg won't allow them to.

Eileen Sheehan asked about the runoff from the detention basins. Won't it go into adjacent properties?

Bribern will do the development. Bernie Saulnier is the local partner from Lunenburg. He has built upwards of 1,000 houses.

Mike O'Hara handed out comments from the Water and Fire Departments.

Bribern said he intended to leave five acres open, leaving x-mas trees around the edge.

Joe Poznick, 840 Fisher Road, is concerned about the access road. He's also concerned about how long the project will take. Down the road we have Marshall Farm – build a house, sell a house, build a house . . . Twenty-three homes, 100-200 new traffic counts. This will double the size of the neighborhood. They have no sidewalks. He hasn't heard one thing from the developer that would help the neighborhood.

Bribern - The proposed road follows the existing cart path. They'll move it if the neighbors want them to. They don't want street lights.

Mr. Cruz says the project needs a sidewalk on one side of the road, at least.

Mr. Andrews, 940 Fisher Road is concerned about drainage to his backyard and impact to deer, wild turkey and wildlife. Also, her daughter has had close calls on Fisher Road and is terrified about the additional traffic.

Ms. Cooks said that the abutters need to be heard from. She suggested Bribern talk to Mr. Poznick and talk to other abutters.

Hearing continued until September 26.

Special Permit - Berry, 69 Temple St., convert 2-family to 3-family, parking relief

Hearing opened 9:50 p.m. Members present: Cruz, Cooks (associate member), DiPasquale, Fontaine, Hurley, Nicholopoulos (6)

Also present Atty. Richard Lavers, Mr. Berry, Chris Deloge, Whitman & Bingham.

Atty. Lavers presented requests, submitted photos of site. Chris Deloge talked about the parking arrangements and handed out easement language for a triangle piece of land for parking.

Mr. Fontaine raised concern with snow removal. There needs to be a written right to place snow on the abutting property. They'll include language in proposed easement between 32 Vernon Street & 69 Temple Street.

Mr. Cruz felt parking and snow will be a problem and this third unit doesn't fit.

No public comment.

Public hearing closed.

Motion made and seconded to Approve Special Permit. Vote 5-1 to Approve.

Conditions:

- In accordance with submitted plan.
- Striped and numbered parking spaces
- Off site snow removal
- Landlord to monitor tenants' parking practices
- Provide draft easement for Planning Board review concerning these items

OTHER BUSINESS

Aho – "South Street Crossing" subdivision lot release. Release 12 of the 20 lots released. Latest bond estimate of work to be completed is about \$150,000. Board voted unanimously to approve release pending receipt of performance guarantee in amount acceptable to DPW-Engineering.

Meeting adjourned: 10:20 p.m.

Next meeting: September 26, 2006

Approved: 9-26-06